

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. 06-01-PO-MPT

DWIGHT CORNELL JOHNSON,

Defendant.

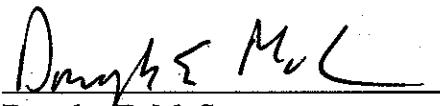
MOTION TO DISMISS

The United States of America, by and through its attorneys, Colm F. Connolly, United States Attorney for the District of Delaware, and Douglas E. McCann, Assistant United States Attorney for the District of Delaware, hereby moves to dismiss Count II of the Misdemeanor Information in the interests of justice.

Respectfully submitted,

COLM F. CONNOLLY
United States Attorney

By:


Douglas E. McCann
Assistant United States Attorney

Dated: October 30, 2006

IT IS SO ORDERED this _____ day of _____, 2006.

THE HONORABLE MARY PAT THYNGE
UNITED STATES MAGISTRATE JUDGE
DISTRICT OF DELAWARE

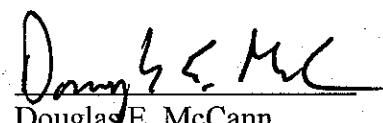
CERTIFICATE OF SERVICE

I, Douglas E. McCann, hereby certify that on October 30 2006, I served the foregoing:

MOTION TO DISMISS

by CM/ECF on

Eleni Kousoulis, Esquire
First Federal Plaza
704 King Street, Suite 110
Wilmington, Delaware 19801


Douglas E. McCann